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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,437	04/06/2001	Pasquale A. Patullo	68486/12083	6173
23380	7590	07/16/2004	EXAMINER	
TUCKER, ELLIS & WEST LLP 1150 HUNTINGTON BUILDING 925 EUCLID AVENUE CLEVELAND, OH 44115-1475			MOONEYHAM, JANICE A	
			ART UNIT	PAPER NUMBER
			3629	

DATE MAILED: 07/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/828,437

Applicant(s)

PATULLO ET AL.

Examiner

Jan Mooneyham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

1. This is in response to the applicant's communication filed on April 6, 2001.

Claims 1-27 are currently pending in this application.

#### *Information Disclosure Statement*

2. The information disclosure statement (IDS) submitted on May 7, 2001 is being considered by the examiner.

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Jones et al (hereinafter referred to as Jones).

Referring to Claims 1 and 13:

Jones discloses a method and system for making travel arrangements using a computer network, comprising:  
receiving travel parameters associated with a desired travel option (page 2 [0031, 0039] (Fig. 3A (300)));  
generating a listing of one or more travel arrangements in accordance with the travel parameters (page 2 [0030-0031] , said listing including pricing information associated with the travel

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parameters, said listing including pricing information associated with each respective travel arrangement; and

displaying the listing of the one or more travel arrangements (page 2 [0031]).

Referring to Claims 2 and 14:

Jones discloses a method and system wherein said listing includes a plurality of room accommodations, pricing information for the plurality of room accommodations with one or more categories of airfare (Fig. 2A, page 2 [0030]).

Referring to Claims 3 and 15:

Jones discloses a method and system wherein said method further comprises displaying images associated with the plurality of room accommodations, in response to selection of said plurality of room accommodations (Figs. 4A (420), and 4B).

Referring to Claims 4 and 16:

Jones discloses a method and system wherein said travel parameters include accommodation name, arrival date, departure date, departure location, and number of guests (Fig. 4A, page 2 [0039]).

Referring to Claims 5 and 17:

Jones discloses a method and system wherein said listing indicates unavailability information associated with the travel arrangement, said unavailability information including dates of unavailability (Fig. 3C – reserved and selected seats).

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Referring to Claims 6 and 18:

Jones discloses a method and system wherein said pricing information associated with the one or more categories of airfare is provided without regard to availability of seating (Fig. 3A-B, Fig 8B).

Referring to Claims 7 and 19:

Jones discloses a method and system wherein said method further comprises accessing an associated computer network to determine the availability of seating, after selection of a listed travel arrangement (Fig. 3A-C).

Referring to Claims 8 and 20:

Jones discloses a method and system wherein said method further comprises displaying one or more flight options after the associated computer network is accessed (page 3 {0041-0045])

Referring to Claims 9 and 21:

Jones discloses a method and system wherein said displayed one or more flight options includes an indication a limited flight availability (Fig. 3B).

Referring to Claims 10 and 22:

Jones discloses a method and system wherein said method further comprises displaying price information and adjusted price information associated with the travel arrangements (Fig 8B-8D).

Referring to Claims 11 and 23:

Jones discloses a method and system wherein said travel parameters include departure date and departure location, wherein dates associated with the airfare are determined in accordance with the departure date and departure location (page 2 [0039]).

Referring to Claims 12 and 24:

Jones discloses a method and system further comprising generating a confirmed travel arrangement without receipt of payment for the travel arrangement (Fig. 7).

Referring to Claims 25-27:

Jones discloses a system with a first data processing system for receiving travel parameters and generating a listing, a database for storing a plurality of travel arrangements, a polling computer for transferring data to a central reservation system and a flight data server (page 2 [0034-37]).

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

EP 1148433 discloses a centralized travel packaging system which retrieves vendor offered travel products from airlines, hotels, car rentals, etc.

Expedia discloses a travel web site for which offers travel packages.

Microsoft offers an explanation of the Expedia travel system

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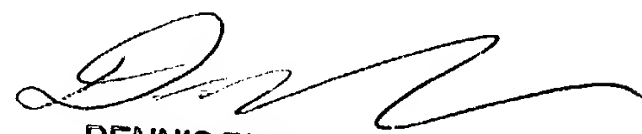
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jan Mooneyham whose telephone number is (703) 305-8554.

The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM

  
DENNIS RUHL  
PRIMARY EXAMINER